

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 13-17, 2000

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-13	EX	75/123,524	Hyder PLC	Simms Hanak (D) McLeod*	2(e)(4)	Refusal Affirmed		"HYDER" [a variety of services in a number of fields, including construction, engineering, power distribution and waste treatment]		Foster	No
3-13	EX	75/201,749	Jolly Tundra, Inc.	Simms Wendel* Bottorff	2(d)	Refusal Affirmed		"JOLLY KIDZ!" (and design) [children's outerwear]	"JOLLY" (and design) [athletic shoes]	Carruthers	No
3-13	EX	75/089,625	Cuba GmbH Int'l. Marketing Concept	Seeherman* Walters Bottorff	2(e)(1)	Refusal Affirmed		"SHAPE CD" [house mark for CD-ROMs with interactive multimedia programs or interactive media software; booklets, pamphlets, and manuals for explaining or describing the CD-ROMs above]		Goodman	No
3-13	EX	75/162,058	Aiwa Co., Ltd.	Cissel* Hairston Bucher	2(e)(1)	Refusal Affirmed		"EXPANDED STEREO IMAGING SYSTEM" [headphone stereos]		Odin	No
3-14	EX	75/193,373	The Ferry Cap & Set Screw Co.	Seeherman Bucher Rogers*	2(d)	Refusal Affirmed (as to both cited registrations)		"FC" [metal fasteners, namely, cap screws, set screws, bolts and studs]	"FC" (<i>positioned on the head of applicant's bolts</i>) [stud bolts and small round head bolts made of metal]; "FC" (in stylized lettering) [steel foundation rods, steel anchor bolts, and steel fasteners, namely, hex bolts and heads therefor]	Baxley	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 13-17, 2000 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-14	EX	75/103,182	Dollys Pizza Franchising, Inc.	Simms Seeherman* Holtzman	2(d)	Refusal Affirmed		"DOLLYS PIZZA" (and design) [pizzas for consumption on or off the premises]	"DOLLY'S" (and design) [restaurant services]	Delaney	No
3-16	EX	75/258,373	Pfeiffer Pharmaceuticals, Inc.	Simms* Cissel Seeherman	2(d)	Refusal Affirmed		"CARDICARE" [aspirin]	"CARDIO-CARE" [vitamins and dietary supplements]	Chicoski	No
3-16	OPP	106,061	Simple Shoes, Inc. v. Marc Wear	Simms* Walters Rogers	2(d)	Opposition Sustained	"SIMPLE" [casual and athletic footwear and t-shirts]	"SIMPLE LIFE" [sportswear, including t-shirts]			No
3-16	OPP	105,710	Brentwood Industries, Inc. v. Moore Supply Co., Inc.	Cissel Hanak Walters*	2(d)	Opposition Sustained	"BRENTWOOD INDUSTRIES, INC." (and design) [HVAC components]	"BRENTWOOD" [HVAC equipment, namely, furnaces, heat pumps, water heaters, and air conditioning units and related components, namely, a-coils, blowers, line sets, and condensers]			No
3-17	EX	75/033,189	Gold Kist Inc.	Seeherman* Quinn McLeod	2(d)	Refusal Affirmed (as to both cited registrations)		"BLAZING WINGS" [chicken wings]	"BLAZIN' REDFISH" [frozen fish]; "BLAZIN' BUFFALO SHRIMP" [frozen breaded shrimp]	Bullock	No

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3-17	OPP OPP OPP	97,342 99,766 99,778	Polo Ralph Lauren, L.P. v. United States Polo Association	Hanak* Hohein Bucher	2(d)	Opp. No. 97,342 Sustained; Opp. No. 99,766 Dismissed; Opp. No. 99,778 Sustained as to Class 25 goods only	"RALPH LAUREN" (and design incorporating a polo player and horse) [suits, overcoats, sweaters, ties, shirts and pants; women's clothing, namely, topcoats, raincoats, jackets, coats, blouses, pants, skirts, dresses, sweaters, tee shirts, hats, scarves, etc.]; "POLO – RALPH LAUREN" (and design incorporating a polo player and horse) [men's and women's t-shirts, sweatshirts, sweaters, jackets, pants, and wind-resistant jackets]; design of a polo player and horse (<i>three similar renderings</i>) [athletic shoes; clothing, namely, suits, slacks, trousers, shorts, wind-resistant jackets, jackets, blazers, dress shirts, knit shirts, sweatshirts, sweaters, hats, belts socks, blouses, skirts, coats, and dresses; jewelry]	Opp. No. 97,342, "USPA" (and design incorporating a polo player and horse); Opp. No. 99,766, "UNITED STATES POLO ASSOCIATION" (and design incorporating a polo player and horse); Opp. No. 99,778, "U.S. POLO ASS'N – USPA" (and design incorporating a polo player and horse) [<i>all three marks for:</i> jewelry of precious metal, costume jewelry, and watches (Cl. 14); calendars, stationery, desksets, pens, photograph albums, address and appointment books, art prints, posters, greeting cards, and magazines and book series featuring polo-related topics (Cl. 16); saddlery, tote bags, backpacks, briefcases, calling card and key cases, handbags, animal feed bags, and umbrellas (Cl. 18); clothing, namely, tops, bottoms, coats, jackets, ties, belts, headwear, footwear, swimwear, sweatpants, shorts, and shirts (Cl. 25)]			No

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